

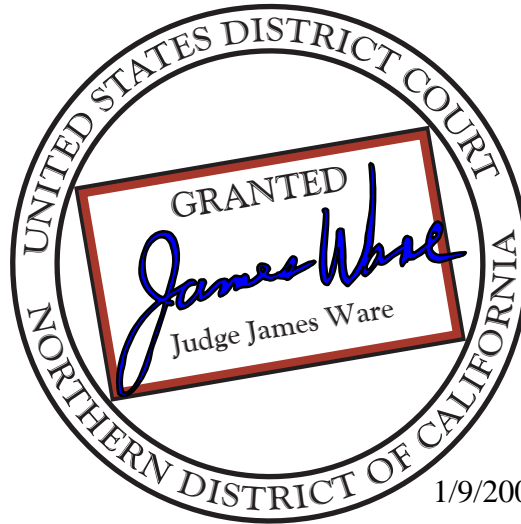
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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,)
14 Plaintiff,)
15 v.)
16 SUZIE MOY YUEN,)
17 Defendant)
18)
19)

No. CR 06-00238-JW

STIPULATION AND ORDER
RE: RELEASE OF ANNUITY/RETIREMENT
FUND TO VICTIM

20 On October 9, 2007, Ms. Yuen pled guilty to count one of the indictment charging mail
21 fraud in violation of 18 U.S.C. §§ 1341 and 1346 and count eight of the indictment charging
22 willfully subscription to false tax returns in violation of 26 U.S.C. § 7206(1).

23 In paragraph 8 of her plea agreement, Ms. Yuen agreed to make restitution as specified in
24 Attachment A of the agreement. She agreed to release the items listed in Attachment to the
25 victim, T.R., within ten days of the change of plea hearing. Per Ms. Yuen's agreement, the Court
26 ordered that the items listed in Attachment A be released to T.R. within ten days. Among the
27 items Ms. Yuen agreed to release was an annuity/retirement fund that her former employer and
28 victim, T.R., had established for her. A supplement to Attachment A identified the
annuity/retirement fund. That supplement is attached to this stipulation and order.

1 Government counsel has learned that T.R. has attempted to obtain the annuity/retirement
2 fund from ING USA Annuity and Life Insurance Company. However, the insurance company
3 has requested a specific court order releasing all assets in the annuity/retirement fund to T.R.

4 Thus, the parties stipulate to an order requiring ING USA Annuity and Life Insurance
5 Company to release the annuity/retirement fund, as identified in the Supplement to Attachment
6 A, to T.R.

7
8
9 /S/ 1/8/08
Gilbert Eisenberg, Esq. Date
Mary McNamara, Esq.
10 Counsel for Suzie M. Yuen

/S/ 1/8/08
Carlos Singh Date
Assistant United States Attorney

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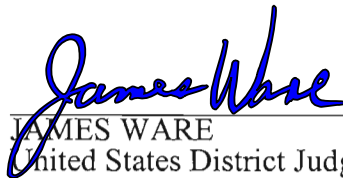
10 UNITED STATES OF AMERICA,)
11 Plaintiff,)
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No. CR 06-00238-JW

ORDER
RE: RELEASE OF ANNUITY/RETIREMENT
FUND TO VICTIM

16 Upon consideration of the stipulation of the parties and there being good cause,
17
18 IT IS HEREBY ORDERED that ING USA Annuity and Life Insurance Company shall
19 release all assets associated with the annuity/retirement, as identified in the attached "Supplement
20 to Attachment A" to Theodore Rosenberg.

21 DATED: January 9, 2008
22

23 
JAMES WARE
United States District Judge
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Supplement to Attachment A

The government has identified an annuity/retirement fund (ING USA Annuity and Life Insurance Company, Contract Number: 90078534, Plan Type 1853/Qualified/Other, Contract Date 11/09/2001) that was given to me by my former employer (T.R.). Suzie Yuen agrees to surrender the corpus, assets and proceeds of the annuity to T.R. for purposes of restitution and in accordance with paragraph 8 and note 2 of the plea agreement.